

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ENRICO JAMES ROMERO,

Defendant.

8:09CR253

ORDER

Defendant Enrico James Romero (Romero) appeared before the court on June 18, 2010, on the Second Petition for Warrant or Summons for Offender Under Supervision (Report) ([Filing No. 8](#)). Romero was represented by Assistant Federal Public Defender Jessica P. Douglas and the United States was represented by Assistant U.S. Attorney Michael D. Wellman. Through his counsel, Romero waived his right to a probable cause hearing on the Report pursuant to Fed. R. Crim. P. 32.1(a)(1). I find that the Report alleges probable cause and that Romero should be held to answer for a final dispositional hearing before Chief Judge Joseph F. Bataillon.

The government moved for detention. Through counsel, Romero declined to present any evidence on the issue of detention but requested release pending the dispositional hearing. Romero proffered he would attend substance abuse treatment and subject himself to electronic monitoring or placement at a work release center. Since it is Romero's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Romero has failed to carry his burden and that Romero should be detained pending a dispositional hearing before Chief Judge Bataillon.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 1:30 p.m. on October 22, 2010**. Defendant must be present in person.

2 Defendant Enrico James Romero is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 18th day of June, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge